IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.481 OF 2004
IN
WRIT PETITION NO.1181 OF 1997

Donypolo Udyog Pvt.Ltd.& Anr. .. Petitioners
V/s
The Union of India & Ors. .. Respondents

Mr.P.S.Jetley i/by Mr.A.S.Tungare for the Petitioners.

Mr.Suresh Kumar for the Respondents.

CORAM: S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.
DATE : 8.9.2004.

P.C.:

1. Heard the learned Counsel for the parties. By this Notice of Motion the petitioners are seeking to recall the order dated 23.8.2004 whereby the petition was dismissed in default on that date. Perused the affidavit in support of the Notice of motion. For the reasons stated therein sufficient cause is shown for recalling of the order dated 28.8.2004. There is no case of inaction, negligence or want of bonafide on the part of the Petitioners. Hence, Notice of Motion is made absolute in terms of prayer clause (a), however subject to the petitioners depositing a sum of Rs.500/- with the Maharashtra State Legal Services Authority within a period of two weeks from today. Place the petition on board for final hearing on 4.10.2004.

(S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)